

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 DONALD RICHARD CHILDS, II,

4 Plaintiff

5 v.

6 CAESARS ENTERTAINMENT  
OPERATING COMPANY, INC., et al.,

7 Defendants  
8

Case No.: 2:18-cv-01869-APG-DJA

**Order Denying Objections to Magistrate  
Judge's Order and Report and  
Recommendation**

[ECF Nos. 29, 59]

9 On January 16, 2019, plaintiff Donald Richard Childs, II filed a motion for leave to file a  
10 second amended complaint. ECF No. 29. On March 4, 2019, Childs filed a second motion to  
11 compel. ECF No. 42. On March 27, 2019, the defendants filed a motion to strike. ECF No. 46.  
12 And on April 1, 2019, Childs filed a motion for leave to supplement his second motion to compel.  
13 ECF No. 48.

14 On July 25, 2019, Magistrate Judge Hoffman entered an Order and Report and  
15 Recommendation. ECF No. 59. Judge Hoffman denied Childs's second motion to compel, denied  
16 the defendants' motion to strike, and denied Childs's motion for leave to supplement. *Id.* at 6.  
17 Judge Hoffman also recommended that I deny Childs's motion for leave to file a second amended  
18 complaint. *Id.*

19 Childs filed an objection to Judge Hoffman's Order and Report and Recommendation. ECF  
20 No. 61. He also filed a request that I take judicial notice of the defendants' responses to his request  
21 for admissions. ECF No. 6. I have conducted a de novo review of the issues set forth in Magistrate  
22 Judge Hoffman's Report and Recommendation, as required by the Local Rules. Childs's objection  
23 fails to offer any valid reason to undermine Judge Hoffman's decisions. Judge Hoffman's Order

1 and Report and Recommendation sets forth the proper legal analysis and factual basis for the  
2 decisions. And his rulings on the discovery issues are not clearly erroneous or contrary to law. I  
3 therefore deny Childs's objection and adopt Judge Hoffman's recommendation as my own.

4 Childs's request for judicial notice is denied because the contents of the discovery  
5 responses are not appropriate subjects for judicial notice under Federal Rule of Evidence 201 and  
6 Childs identifies no purpose for taking notice of those responses.

7 IT IS HEREBY ORDERED that Magistrate Judge Hoffman's Order and Report and  
8 Recommendation (**ECF No. 59**) is **accepted** and approved in its entirety. Plaintiff Childs's motion  
9 for leave to amend (**ECF No. 29**) is **denied**.

10 DATED this 16th day of September, 2019.



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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE